

United States District Court

for the
Western District of New York



United States of America

v.

Case No. 18-mj- 200

Sachin Aji Bhaskar

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Count 1

(Sexual Enticement of a Minor)

On or about August 11, 2018, in the Western District of New York, the defendant, **Sachin Aji Bhaskar**, using facilities and means of interstate and foreign commerce, that is, the internet, did knowingly persuade, induce, and entice Victim 1, an individual who had not attained the age of 18 years, to engage in sexual activity for which the defendant can be charged with a criminal offense, that is, rape in the first degree in violation of New York Penal Law § 130.35(4) and sexual abuse in the first degree in violation of New York Penal Law § 130.65(4).

All in violation of Title 18, United States Code, Section 2422(b).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

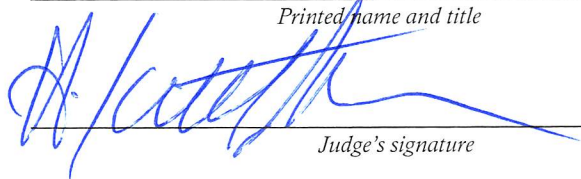

Complainant's signature

RANDALL E. GARVER
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Printed name and title

Sworn to before me and signed in my presence.

Date: November 16, 2018


Judge's signature

City and State: Buffalo, New York

HONORABLE H. KENNETH SCHROEDER, JR.
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Randall E. Garver, being duly sworn, depose and state:

INTRODUCTION

1. I am a Special Agent of the Federal Bureau of Investigation and entered on duty in May 2006. I am currently assigned to the Buffalo Field Office and work on cases associated with the Violent Crimes Against Children program, which targets individuals involved in the online sexual exploitation of children. As part of these duties, I have become involved in the investigation of suspected violations of Title 18, United States Code, Sections 2251, 2252, 2252A, 2422, and 2423. I have also participated in various FBI mandated and volunteer training for the investigation and enforcement of federal child pornography laws in which computers are used as the means for receiving, transmitting, and storing child pornography.

2. I make this affidavit in support of a criminal complaint charging **SACHIN AJI BHASKAR** (“**BHASKAR**”), with violating Title 18, United States Code, Section 2422(b) [Sexual Enticement of a Minor], where the underlying sexual activity would constitute rape in the first degree in violation of New York Penal Law § 130.35(4) and sexual abuse in the first degree in violation of New York Penal Law § 130.65(4). Section 130.35(4) provides that “A person is guilty of rape in the first degree when he or she engages in sexual intercourse with another person who is less than thirteen years old and the actor is eighteen years old or more.” Section 130.65(4) provides that “A person is guilty of sexual abuse in the first degree

when he or she subjects another person to sexual contact when the other person is less than thirteen years old and the actor is twenty-one years old or older.”

3. The statements contained in this affidavit are based on my involvement in this investigation, as well as information provided to me by other law enforcement officers in this investigation, and upon my training and experience as a Special Agent of the FBI. Because this affidavit is being submitted for the limited purpose of seeking a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts necessary to establish probable cause to believe that **BHASKAR** knowingly violated Title 18, United States Code, Section 2422(b).

PROBABLE CAUSE

4. On or about August 11, 2018, after 11pm, the Buffalo Police Department (BPD) received a complaint from the mother of an 11 year old girl (hereinafter “Mother 1” and “Victim 1”, respectively). Mother 1 called BPD and advised Victim 1 was missing from their home in Buffalo, New York. After midnight, BPD found Victim 1 walking near the home. Later the same day, Mother 1 searched Victim 1’s phone and discovered a conversation that took place over a dating focused social media application (referred to hereinafter as “App 1” or “app”) where users text message each other. The app is typically used from a smartphone or tablet. Based on her review of the App 1 conversation, Mother 1 believed her daughter met with an unknown individual and engaged in sexual contact. On the morning of August 12, 2018, Mother 1 took Victim 1 to Children's Hospital in Buffalo where Victim 1 disclosed to staff that she had sexual intercourse with a man. A rape kit was

conducted. The same day, the case was forwarded to BPD's Sex Offense Squad (SOS) and assigned to Detective Julie Ledwin.

5. On or about August 17, 2018, a forensic interview was conducted at the Child Advocacy Center (CAC) in Buffalo where Victim 1 denied sexual contact. However, on or about August 24, 2018, Detective Ledwin received the rape kit results that determined semen was recovered from a vaginal swab of Victim 1 conducted pursuant to the rape examination. The same day, Detective Ledwin secured Victim 1's phone and tablet by locking them in SOS's squad area.

6. On or about October 27, 2018, Detective Ledwin met with Mother 1 and obtained consent to search Victim 1's cellular telephone. On or about November 1, 2018 and November 2, 2018, the FBI's Child Exploitation Task Force searched Victim 1's phone pursuant to this consent and recovered the above referenced August 11, 2018, and August 12, 2018 conversation over App 1. I reviewed the entire conversation which showed subject **SACHIN AJI BHASKAR** (screen name "Sachin" and account number 1484741962) knew Victim 1's age, picked her up, and based on the content of the conversations, had sexual intercourse with her. Also in the chat conversation, **BHASKAR** provided his telephone number as (484) 752-2024. The FBI obtained a photograph obtained from a social media site attributed to **BHASKAR**, which in my opinion, depicts the same individual as displayed in the App 1 "Sachin"/account number 1484741962's profile picture. The below paragraphs summarize my review of the App 1 conversation between **BHASKAR** and Victim 1.

7. I reviewed the App 1 conversation and noticed **BHASKAR**'s profile page lists his name as "Sachin, 22". I read the August 11, 2018, conversation between **BHASKAR** and Victim 1 where he introduced himself and Victim 1 replied, "I'm too young tho." When **BHASKAR** asked her age, she replied, "I'm 7. Years young theme you but you sound sweet and you look cute." **BHASKAR** replied, "I'm not 22...I'm only 19...what's ur age?" Victim 1 replied "22-7 = what's that's how old I am." **BHASKAR** then asked, "so u r 15?" and Victim 1 answered "yeah." **BHASKAR** then asked "first u tell me if we can go out tonight" and Victim 1 answered "...ok we can do that but I'm not sure if my mom will let me." **BHASKAR** wrote back, "do u have to tell her? Just tell her u r going out with a friend." Victim 1 asked, "should I sneak out or something"? **BHASKAR** then advised that he has a car and Victim 1 replied, "Idk about this...if I get caught I'm gonna get my ass beat."

8. The conversation continued with **BHASKAR** asking Victim 1, "are u a virgin?" and she replied, "yeah is that bad". **BHASKAR** continued, "do u ever get horny or such?...do u masterbate?" and Victim 1 asked, "why??" Victim 1 asked **BHASKAR** where he lives and he advised Williamsville and offered to pick Victim 1 up to come back to his apartment. He asked Victim 1 for her address and she provided the full address. He also asked Victim 1 to explain how she may sneak out of her house before asking "would u fuck me? Condom or no?" Victim 1 advised **BHASKAR** to park his car across the street before advising he would have to use a condom. **BHASKAR** then asked "loud or quiet?...fast or slow?...69 or doggy style?...cuddle or leave?...committed or booty call?" Victim 1 answered some of the questions and **BHASKAR** asked "so do you want to lose ur virginity to me?" He also asked, ""have u ever felt orgasm or cummed or squirted?" Victim 1 replied, "yeah I have before only by

rubbing my clitoris if you know what that is.” **BHASKAR** then asked Victim 1, “can I see any of ur hot pics too?...not just ur ass lol...ur whole body...Would u like it if I ate ur pussy tonight btw?”

9. The conversation continued with the two discussing how Victim 1 may sneak out of the house so she can meet **BHASKAR**. **BHASKAR** asked “oh don’t u think she’ll wake up again before sleeping for the night?...if you leave later when she sleeps for the night she won’t wake up until the morning” when trying to determine a good time to pick Victim 1 up. He reassured her, “Pls don’t be scared. I know u must be nervous a bit but I’m really friendly.” Victim 1 replied, “any one can say that and be a a big FATTY perv.” Later in the conversation, Victim 1 asked, “you got condoms” to which **BHASKAR** replied “why haha?” Victim 1 answered, “I don’t want a bady...will that’s a lye but I don’t want one right now” before correcting herself, “BABY I SAID bady”. **BHASKAR** assured Victim 1 he had condoms. He then asked, “have u ever given a blow job?” When Victim 1 replied that she had not, **BHASKAR** wrote, “would u like me to teach u then.” **BHASKAR** continued, “and is there anything else u don’t know about sex that I can teach u tonight?” Victim 1 asked, “what’s positions do you want me to do” and **BHASKAR** answered “U have never had sex so I would like u to be comfortable and happy”. Victim 1 then sent **BHASKAR** three files, the contents of which were not recovered, and stated, “you pick...and now I need to clear my history.” **BHASKAR** stated, “how about we do all three of them one by one” and Victim 1 stated, “wait one more.” **BHASKAR** asked “where is the last position” and Victim 1 again sent a file, the contents of which were not recovered. **BHASKAR** asked “would u like to do all 4 positions tonight” and Victim 1 replied, “sure”.

10. The conversation continued when **BHASKAR** asked, “and do you wanna do anything else sexually? Like getting fisted or oral sex?” Victim 1 replied, “sure on you” and he then asked “U don’t want me to do oral sex on u?” **BHASKAR** asked “U would like to do me orally? And do u know what’s fisting? Oh btw when we do the 4 positions do u wanna do anal sex too?” Victim 1 replied, “hold up let me lick that up” before replying “THEY SHOVE THERE WHOLE AREM IN THE TR HE’LL NO”. **BHASKAR** replied, “no fisting then...how about anal sex?” Victim 1 responded, “Noooooooo why why WHY!! How do people take it in their a**how”. **BHASKAR** explained with lubricant and then stated he wished to buy Victim 1 a choker to wear while they are together. The two also discussed whether the lights should be dark in the room when they are together and **BHASKAR** stated “Can we have the dim lights at least? So I know when to put the condom on and so u can see my dick to give me a blowjob while I teach u?” Victim 1 then asked “do you have a accent?” and **BHASKAR** answered “yes a bit haha why?...will it bother u?”

11. From the conversation, it appears that **BHASKAR** left his location to pick up Victim 1. He wrote that he was leaving to pick her up and stated, “my number is 4847522024”. **BHASKAR** then advised he was at WalMart and sent pictures of what he was getting for Victim 1 (photo not recovered, possibly a choker to wear, based on earlier messages). **BHASKAR** advised, “come outside by 10:20pm I will be there.” **BHASKAR** then wrote Victim 1 that he was outside the house and the two exchanged several messages about locating the other since he was parked a bit forward of the home and not directly in front of it. The two appeared to not be able to locate each other and Victim 1 stated, “I’m

about to go back in the house cuz I'm cold" and **BHASKAR** answered "OMG no...what do u want me to do?" Victim 1 then stated "come in front of the house" and he asked "with the car?" When she replied yes, he wrote, "ok...I'm coming."

12. A review of Victim 1's phone shows that on August 11, 2018, Victim 1 placed an outgoing call to (484) 752-2024 at 9:37 pm (local time). At the same time, Victim 1 sent a text via SMS to the same number stating "Heyyyyyyy".

13. Victim 1's phone shows no further texts were exchanged for about two hours and forty-five minutes when **BHASKAR** asked "why weren't u talking much" before advising "I just reached back home...can we meet tomorrow too at night?" Victim 1 never replied, but Mother 1 took Victim 1's phone and sent a threat to **BHASKAR**. The next message received from **BHASKAR** after August 12, 2018 was on October 28, 2018: "Hey r u free tonight for a movie? This time lets actually watch the whole movie haha...I moved into my own apartment btw. It's in Kensington area. I miss u where did u disappear for so long?" At this time, it is unclear whether **BHASKAR** had sent those messages earlier than October 28, 2018 and that they were received on Victim 1's phone when it was powered on to be searched.

14. On or about November 2, 2018, I reviewed the subscriber information provided by the service provider in response to an administrative subpoena for telephone number (484) 752-2024, which **BHASKAR** provided Victim 1 as his number. From the return, I know (484) 752-2024 was activated in August 2014. The return lists the user information as "Nithin Bhaskar" at address 160 North Gulph Road, King of Prussia, Pennsylvania. The email

address on the account is: sachinajibhaskar@gmail.com. I note that the listed email address is the full name of **BHASKAR**. An FBI analyst informed me that the address listed on the phone records is the address to the King of Prussia Mall, a very large and popular shopping center in the Philadelphia suburb. The analyst could not find identify anyone with the name "Nithin Bhaskar". The analyst found a resume for **BHASKAR** that was posted on an online professional network. The resume listed his telephone number as (484) 752-2024 and email address as sachinajibhaskar@gmail.com. I note that this phone number and email address are the same number provided to Victim 1 and email address on the phone records, respectively. The resume also stated that **BHASKAR** was expected to graduate from college in Pennsylvania in summer 2018.

15. On or about November 14, 2018, Victim 1 was again interviewed at the CAC in Buffalo. Following an attempted interview by the Forensic Interviewer, Detective Ledwin spoke to Victim 1. During this portion of the interview, Victim 1 said the individual who picked her up was the same person who was pictured in the "Sachin" profile on App 1. When asked where **BHASKAR** took her, Victim 1 recalled the place started with a "w" and had the letters "i" and "l" in it (from the chat log, I know **BHASKAR** advised he resided in Williamsville). Victim 1 also recalled an apartment complex and some details about the apartment's layout and features, including **BHASKAR**'s reference to having a roommate who was not home. Victim 1, however, was again reluctant and unwilling to say what **BHASKAR** did with her, but Victim 1 did specifically reference having told hospital staff what had happened the following day (which was that they had sex).

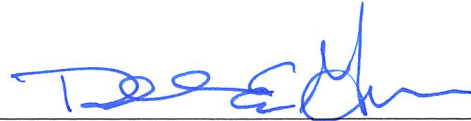
16. On November 15, 2018, I received information from the U.S. Department of Homeland Security that **BHASKAR** had been in the United States on a student visa (consistent with the resume described above) and is currently out of status. The records also show that **BHASKAR** was 22 years old on August 11, 2018.

17. I also learned from Detective Ledwin that, on or about September 15, 2018, **BHASKAR** moved into 231 Affinity Lane, Apartment G, Cheektowaga, according to an individual associated with that apartment complex. This complex is off Eggert Road near Kensington Avenue, which location and timeline are consistent with **BHASKAR**'s message to Victim 1 after August 12, 2018. The official advised Detective Ledwin that while no vehicle is listed on his lease, **BHASKAR** provided two previous addresses: One of these was in Williamsville, New York, which is consistent with **BHASKAR**'s message to Victim 1 on August 11, 2018. The other previous address listed on the lease was in State College, Pennsylvania, which is consistent with **BHASKAR**'s resume described above. Finally, the official provided a copy of a **BHASKAR**'s Pennsylvania driver's license that listed his date of birth as XX/XX/1996 and the same State College, Pennsylvania, address.

RELIEF SOUGHT

19. I respectfully submit that **BHASKAR** clearly knew Victim 1 was a minor and used an app to engage in conversations that substantiate the Sexual Enticement of a Minor.

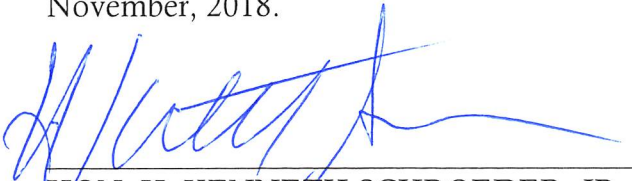
20. Based upon the foregoing, I respectfully submit that I have probable cause to believe that **BHASKAR** has violated Title 18, United States Code, Section 2422(b) as charged in the criminal complaint.



RANDALL E. GARVER, Special Agent
Federal Bureau of Investigation

Sworn to before me this 16th day of

November, 2018.



HON. H. KENNETH SCHROEDER, JR.
United States Magistrate Judge